

# HOUSE . . . . . No. 4245

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 9, 2012.

The committee on Ways and Means, to whom was referred the Senate Bill providing for annual caterer's licenses for the service of alcoholic beverages at private functions (Senate, No. 2063), reports recommending that the same ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4245.

For the committee,

BRIAN S. DEMPSEY.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve  
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By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. Chapter 138 of the General Laws is hereby amended by inserting after section 12B  
2 the following section:-

3 Section 12C. (a) The commission may issue an annual caterer's license to an operator of a  
4 catering business for the sale and service of alcoholic beverages to be served and drunk on the  
5 premises where the operator caters a private event that is not open to the public; provided,  
6 however, that no such license shall be exercisable on premises located in a city or town wherein  
7 the granting of licenses under section 12 has not been authorized by that city or town. A caterer's  
8 license shall authorize the licensee to store, transport, sell and deliver alcoholic beverages in the  
9 ordinary course of the licensee's business. Alcoholic beverages may be stored only on the  
10 premises owned by the licensee or that the licensee has the exclusive right to occupy. Caterers  
11 licensed pursuant to this section shall not serve alcoholic beverages at the caterer's principal  
12 place of business. A licensee under this section shall purchase all alcoholic beverages for resale  
13 from a wholesaler licensed pursuant to section 18 and shall maintain liquor liability insurance  
14 providing security for the liability of the licensee in a minimum amount of \$250,000 on account  
15 of injury to or death of 1 person and \$500,000 on account of any 1 accident resulting in injury to

or death of more than 1 person. The service of alcoholic beverages shall not be for more than 5 hours during a catered event. All agents and employees of a licensed caterer who serve alcoholic beverages shall be certified by a nationally-recognized alcoholic beverages server training program. The license shall be renewable annually and shall be subject to an annual fee of \$1,500.

(b) Prior to 48 hours before the start of a catered event where alcoholic beverages shall be served, a caterer licensed under this section shall provide written notice of the event to the police chief and the local licensing authority of the city or town wherein the event will be held. The notice shall include the following information:

(1) a copy of the caterers' license;

(2) proof of liquor liability insurance; and

(3) emergency contact information of the manager of the catering company.

(c) The commission, after notice to the licensee and reasonable opportunity to be heard, may modify, suspend, revoke or cancel the license upon satisfactory proof that the licensee violated or permitted a violation of a condition of the license or of any law of the commonwealth or regulation of the commission. The decision of the commission shall be final and conclusive.